
ENGROSSED SUBSTITUTE SENATE BILL 5708

State of Washington

69th Legislature

2025 Regular Session

By Senate Ways & Means (originally sponsored by Senators Frame, Wagoner, Alvarado, Hasegawa, Nobles, Salomon, Trudeau, and Valdez; by request of Attorney General)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to protecting Washington children online; adding
2 a new chapter to Title 19 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Addictive feed" means an internet website, online service,
8 online application, or mobile application, or a portion thereof, in
9 which multiple pieces of media generated or shared by users are,
10 either concurrently or sequentially, recommended, selected, or
11 prioritized for display to a user based, in whole or in part, on
12 information provided by the user, or otherwise associated with the
13 user or the user's device, unless any of the following conditions are
14 met, alone or in combination with one another:

15 (a) The information is not persistently associated with the user
16 or user's device, and does not concern the user's previous
17 interactions with media generated or shared by others;

18 (b) The information consists of search terms that are not
19 persistently associated with the user or user's device;

20 (c) The information consists of user-selected privacy or
21 accessibility settings, technical information concerning the user's

1 device, or device communications or signals concerning whether the
2 user is a minor;

3 (d) The user expressly and unambiguously requested the specific
4 media or media by the author, creator, or poster of the media, or the
5 blocking, prioritization, or deprioritization of such media, provided
6 that the media is not recommended, selected, or prioritized for
7 display based, in whole or in part, on other information associated
8 with the user or the user's device, except as otherwise permitted by
9 this chapter and, in the case of audio or video content, is not
10 automatically played;

11 (e) The media consists of direct, private communications between
12 users;

13 (f) The media recommended, selected, or prioritized for display
14 is exclusively the next media in a preexisting sequence from the same
15 author, creator, poster, or source and, in the case of audio or video
16 content, is not automatically played;

17 (g) The recommendation, selection, or prioritization of the media
18 is necessary to comply with this chapter.

19 (2)(a) "Addictive internet-based service or application" means an
20 internet website, online service, online application, or mobile
21 application including, but not limited to, a social media platform,
22 that offers users or provides users with an addictive feed as a
23 significant part of the service provided by that internet website,
24 online service, online application, or mobile application.

25 (b) "Addictive internet-based service or application" does not
26 apply to:

27 (i) An internet website, online service, online application, or
28 mobile application for which interactions between users are limited
29 to commercial transactions or to consumer reviews of products,
30 sellers, services, events, or places, or any combination thereof; or

31 (ii) An internet website, online service, online application, or
32 mobile application that operates a feed for the primary purpose of
33 cloud storage.

34 (3) "Media" means text, audio, an image, or a video.

35 (4) "Minor," unless otherwise specified, means an individual
36 under 18 years of age who is located in Washington state.

37 (5) "Operator" means a person who operates or provides an
38 internet website, an online service, an online application, or a
39 mobile application.

40 (6) "Parent" means a parent or guardian.

1 NEW SECTION. **Sec. 2.** (1) An operator of an addictive internet-
2 based service or application shall estimate the age of minor users
3 with a reasonable level of certainty appropriate to the risks that
4 arise from the data management practices of the operator.

5 (2) An operator of an addictive internet-based service or
6 application shall not use any personal information collected to
7 estimate age or age range for any other purpose or retain that
8 personal information, other than the estimated age or age range,
9 longer than necessary to estimate age. Age assurance shall be
10 proportionate to the risks and data practice of a service or
11 application.

12 NEW SECTION. **Sec. 3.** (1) It shall be unlawful for the operator
13 of an addictive internet-based service or application to provide an
14 addictive feed to a user unless:

15 (a) Prior to January 1, 2026, the operator does not have actual
16 knowledge that the user is a minor; or

17 (b) Commencing January 1, 2026, the operator has reasonably
18 determined that the user is not a minor.

19 (2) Nothing in this chapter shall prohibit an operator of an
20 addictive internet-based service or application from filtering or
21 removing media for minor users, consistent with the operator's
22 policies, procedures, or terms of service.

23 NEW SECTION. **Sec. 4.** (1) Prior to January 1, 2026, it shall be
24 unlawful for an operator of an addictive internet-based service or
25 application, between the hours of 12:00 a.m. and 6:00 a.m., in the
26 user's local time zone, and between the hours of 8:00 a.m. and 3:00
27 p.m., from Monday through Friday from September through May in the
28 user's local time zone, to send push notifications to a user if the
29 operator has actual knowledge that the user is a minor unless the
30 operator has obtained verifiable parental consent to send those push
31 notifications.

32 (2) Commencing January 1, 2026, it shall be unlawful for an
33 operator of an addictive internet-based service or application,
34 between the hours of 12:00 a.m. and 6:00 a.m., in the user's local
35 time zone, and between the hours of 8:00 a.m. and 3:00 p.m., from
36 Monday through Friday from September through May in the user's local
37 time zone, to send push notifications to a user whom the operator has

not reasonably determined is not a minor unless the operator has obtained verifiable parental consent to send those notifications.

(3) Nothing in this section shall restrict the ability of an operator of an addictive internet-based service or application to send notifications to a user regarding software updates, security alerts, or other information regarding the integrity or maintenance of the user's account.

NEW SECTION. **Sec. 5.** The operator of an addictive internet-based service or application shall provide a mechanism through which any user, whether or not they are a minor, may choose to do any of the following:

(1) Limit their access to any addictive feed from the addictive internet-based service or application to a length of time per day specified by the user;

(2) Limit their ability to view the number of likes or other forms of feedback to pieces of media within an addictive feed;

(3) Require that the default feed provided to the user when entering the internet-based service or application be one in which pieces of media are not recommended, selected, or prioritized for display based on information provided by the user, or otherwise associated with the user or the user's device, other than the user's age or status as a minor;

(4) Set their account to private mode, in a manner in which only users to whom the user is connected on the addictive internet-based service or application may view or respond to content posted by the user.

NEW SECTION. **Sec. 6.** This chapter shall not be construed as requiring the operator of an addictive internet-based service or application to give a parent any additional or special access to, or control over, the data or accounts of their minor child.

NEW SECTION. **Sec. 7.** Compliance with this chapter by the operator of an addictive internet-based service or application does not serve as a defense to any claim that a minor, or an individual who was a minor at the time of using the internet-based service or application, might have against the operator of an addictive internet-based service or application regarding any harm to the mental health or well-being of the minor.

1 NEW SECTION. **Sec. 8.** The legislature finds that the practices
2 covered by this chapter are matters vitally affecting the public
3 interest for the purpose of applying the consumer protection act,
4 chapter 19.86 RCW. A violation of this chapter is not reasonable in
5 relation to the development and preservation of business, and is an
6 unfair or deceptive act in trade or commerce and an unfair method of
7 competition for the purpose of applying the consumer protection act,
8 chapter 19.86 RCW.

9 NEW SECTION. **Sec. 9.** It is the intent of the legislature that
10 if any provision of this chapter or its application to any person or
11 circumstance is held invalid, the remainder of the chapter or the
12 application of the provision to other persons or circumstances is not
13 affected.

14 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act
15 constitute a new chapter in Title 19 RCW.

16 NEW SECTION. **Sec. 11.** If specific funding for the purposes of
17 this act, referencing this act by bill or chapter number, is not
18 provided by June 30, 2025, in the omnibus appropriations act, this
19 act is null and void.

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